

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

SHERMAN DIVISION

DATE: 3/10/2025

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Chris Bickham
COURTROOM DEPUTY: Keary Conrad

Gibson Brands, Inc., a Delaware corporation	4:19CV358
v.	
Armadillo Distribution Enterprises, Inc., Concordia Investment Partners, LLC	
Does 1 through 10	

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANT
Stephen Dale Howen, Andrea Bates, Kurt Schuettinger, Elizabeth Andujar IT: Keith Slyter	Jerry Selinger, Craig Depew, Kyrie Cameron, Austin Gray, Ron, Bienstock, Zack Klein IT: Mitch Mahon

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Jury Trial - Day 2
9:00 a.m.	Court in session. Court notes appearances.
9:02 a.m.	Jury seated.
9:03 a.m.	Witness reminded he is still under oath. Counsel Howen continues direct examination of Jim DeCola.
9:15 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 354.
9:31 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 353, 760.
9:39 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 756.
9:46 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 352.
9:47 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 759.
9:54 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 757.
10:08 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 355.
10:10 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 769.
10:10 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 34.

TIME:	MINUTES: Jury Trial - Day 2
10:15 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 351 and 770.
10:30 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 319.
10:31 a.m.	Jury excused for morning break. Court recess for 15 minutes.
10:31 a.m.	Court recess for 15 minutes.
10:45 a.m.	Agreed jury instruction on damages that we believe would alleviate the damage experts testifying. The Parties will provide the instruction to the Court for the Court's review prior to them calling off the damage experts. Counsel Howen also advises Court that the case should be concluded by early to mid next week.
10:49 a.m.	Court hears from Counsel, Depew regarding testimony of Aljon Jo.
10:49 a.m.	Jury seated.
10:50 a.m.	Counsel Howen continues direct examination of Jim Decola.
10:51 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 95.
10:55 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 749. Counsel Howen offers Plaintiff Exhibit 749. No objection. Plaintiff Exhibit 749 is admitted.
10:57 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 321a. Counsel Howen offers Plaintiff Exhibit 321. No objection. Plaintiff Exhibit 321a is admitted.
10:59 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 62. Counsel Howen offers Plaintiff Exhibit 62. No objection. Plaintiff Exhibit 62 is admitted.
11:00 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 63. Counsel Howen offers Plaintiff Exhibit 63. No objection. Plaintiff Exhibit 63 is admitted.
11:01 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 67. Counsel Howen offers Plaintiff Exhibit 67. No objection. Plaintiff Exhibit 67 is admitted.
11:02 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 68. Counsel Howen offers Plaintiff Exhibit 68. No objection. Plaintiff Exhibit 68 is admitted.
11:04 a.m.	Counsel Howen refers witness to Plaintiff Exhibits, 749, 748.
11:06 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 5.
11:07 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 8.
11:11 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 763. Howen offers Plaintiff Exhibit 763. Plaintiff Exhibit 763 is admitted.

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11:12 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 348. Howen offers Plaintiff Exhibit 348. Plaintiff Exhibit 348 is admitted.
11:14 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 768. Howen offers Plaintiff Exhibit 768. Plaintiff Exhibit 768 is admitted.
11:15 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 762. Howen offers Plaintiff Exhibit 762. Plaintiff Exhibit 762 is admitted.
11:19 a.m.	Counsel Howen refers witness to Plaintiff Exhibit 361.
11:21 a.m.	Defendant's counsel, Jerry Selinger begins cross examination of Jim Decola.
11:24 a.m.	Defendant's counsel, Jerry Selinger refers witness to Defendant Exhibit 3333. Defendant's counsel, Jerry Selinger offers Defendant Exhibit 3333.
11:25 a.m.	Plaintiff requests bench conference.
11:26 a.m.	No objection by Plaintiff. Defendant Exhibit 3333 is admitted.
11:47 a.m.	Counsel Selinger refers witness to Defendant's Exhibit 5001 (not shown). Counsel Selinger refers witness to Plaintiff Exhibit 62.
11:48 a.m.	Counsel Selinger refers witness to Defendant Exhibit 5001. Counsel Selinger moves for he admission of Defendant Exhibit 5001. No objection. Defendant Exhibit 5001 is admitted.
11:56 a.m.	Jury released for lunch.
11:57 a.m.	Court recess for lunch.
1:00 p.m.	Court re-convened. Jury seated.
1:01 p.m.	Counsel Selinger continues cross examination of Jim DeCola.
1:02 p.m.	Counsel Selinger refers witness to Plaintiff Exhibit 750.
1:05 p.m.	Counsel Selinger refers witness to Defendant's Exhibit 3891.
1:10 p.m.	Bench conference at request of Plaintiff.
1:11 p.m.	Counsel Selinger continues cross examination of Jim DeCola.
1:16 p.m.	Counsel Selinger refers witness to Defendant's Exhibit 5002.
1:20 p.m.	Counsel Selinger offers Defendant's Exhibit 5003. Objection to relevance, lack of predicate. Court hears argument from counsel.
1:21 p.m.	Bench conference on Plaintiffs' objection.
1:24 p.m.	Court overruled Plaintiff's objection. Defendant's Exhibit 5003 is admitted.

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1:25 p.m.	Defendant's Exhibit 5004 is admitted over the objection of Plaintiff. Counsel Selinger refers witness to Defendant Exhibit 5004.
1:34 p.m.	Counsel Howen begins redirect of Jim Decola.
1:38 p.m.	Counsel Howen refers witness to Plaintiff Exhibits 764 and 355.
1:42 p.m.	Counsel Selinger begins recross examination of Jim Decola.
1:45 p.m.	Court polls jury for questions of witnesses.
1:46 p.m.	Bench conference regarding questions.
1:48 p.m.	Court does not ask questions from the jury of the witness
1:49 p.m.	Plaintiff's counsel, Andrea Bates calls Aljon Jo (Charito Alberto Ocampo Go Jr. ("Aljon")) . Witness placed under oath. Counsel Bates begins direct examination of Aljon Jo.
2:15 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 760.
2:18 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 54.
2:20 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 61a (not shown).
2:29 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 279 (not shown).
2:30 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 281a.
2:32 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 813. Counsel Bates offers Plaintiff Exhibit 813. No objection. Plaintiff Exhibit 813 is admitted.
2:36 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 387.
2:38 p.m.	Counsel Bates refers witness to Plaintiff Exhibits 336 and 337
2:42 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 5.
2:43 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 760.
2:43 p.m.	Counsel Bates refers witness to Plaintiff Exhibit 376.
2:46 p.m.	Counsel Bates refers witness to Plaintiff Exhibits 8 and 542.
2:48 p.m.	Jury excused for afternoon break.
2:49 p.m.	Court recess 15 minutes.
3:04 p.m.	Court re-convened. Jury seated.
3:05 p.m.	Defendant's counsel, Craig Depew begins cross examination of Aljon Jo.

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3:13 p.m.	Counsel Depew refers witness to Defendant's Exhibit 1505 and Plaintiff's Exhibit 352.
3:15 p.m.	Counsel Depew refers witness to Plaintiff Exhibits 336, 337.
3:22 p.m.	Counsel Depew refer witness to Defendant Exhibit 3333.
3:33 p.m.	Counsel Depew refers witness to Plaintiff Exhibit 768-1
3:36 p.m.	Counsel Depew refers witness to Plaintiff Exhibit 359-1 and 876-1.
3:38 p.m.	Counsel Depew refers witness to Plaintiff Exhibit 768-1.
3:52 p.m.	Counsel Depew refers witness to Plaintiff Exhibits 386, 387.
4:05 p.m.	Defendant's counsel, Depew offers for admission Defendant Exhibits 425, 336A, 337A, 337B, 422A, 427A, 431, 441A, 449, 602, 599, 894, 971, 1016. Defendant Exhibits 425, 336A, 337A, 337B, 422A, 427A, 431, 441A, 449, 602, 599, 894, 971, 1016 are admitted.
4:30 p.m.	Defendant's counsel, Depew offers Defendant's demonstrative exhibit 5005 and 5006. Objection. Court admits as demonstrative but advises the jury that demonstratives are not admitted exhibits. The jury will not have access to it during deliberations. Court will allow for demonstrative exhibit only.
4:35 p.m.	Defendant's counsel, Depew offers Defendant's demonstrative exhibit 5007. Demonstrative exhibits tendered to Courtroom Deputy.
4:39 p.m.	Counsel Depew refers witness to Defendant's Exhibit 3794.
4:47 p.m.	Plaintiff's counsel, Andrea Bates begins redirect examination.
4:53 p.m.	Court polls the jury for questions of the witness. No questions from the jury.
4:54 p.m.	Witness excused.
4:55 p.m.	Plaintiff's counsel, Stephen Howen calls Jeff Carey by video deposition.
5:03 p.m.	Video deposition concludes.
5:03 p.m.	Court advises jury that there will be no Court on Friday. Jury excused.
5:04 p.m.	Court addresses stipulation regarding damages and advises that Parties can call off their damage experts.
5:05 p.m.	Court adjourned.

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	Plaintiff Used: 4:39 Defendant Used: 3:28 Defendant Exhibits: 336A, 337, 337A, 337B, 422A, 425, 427A, 431, 441A, 449, 599, 602, 894, 971, 1016, 1505, 3333, 3794, 3891, 5001, 5002, 5003, 5004 Defendant Demonstrative Exhibits: 5005, 5006, 5007 Plaintiff Exhibits: 5, 8, 54, 61a, 62, 63, 67, 68, 95, 279, 281a, 319, 321a, 336, 337, 348, 351, 352, 353, 354, 355, 361, 376, 386, 387, 542, 748, 749, 750, 756, 757, 759, 760, 762, 763, 764, 768, 768-1, 769, 770, 813, 876, 359-1

DAVID O'TOOLE, CLERK

BY: Keary Conrad
Courtroom Deputy Clerk